

In The Matter Of:
BAILEY RINEHART vs.
BOARD OF EDUCATION

Wesley Yates
April 12, 2018

McGee Court Reporting and 3-2-1 Legal Video
Suite 1215
Chicago, IL 60603



Original File Baumann - Yates.txt
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

BAILEY RINEHART)
Plaintiff,) No. 16 CV 10413
vs.)
BOARD OF EDUCATION OF THE CITY)
OF CHICAGO,)
Defendant.)

The deposition of Wesley Yates in the
above-entitled cause, taken before Izetta
White-McGee, a Notary Public and Certified
Shorthand Reporter in and for the State of
Illinois, located at 20 South Clark Street, Suite
500, Chicago, Illinois 60603, held on the 12th day
of April, 2018, A.D. at the hour of 10:00 a.m.

APPEARANCES

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WITNESS

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Examination by Ms. Baumann

Court Reporter's Certificate

*Witness' Certificate

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1 (Witness sworn.)

2 WESLEY YATES,

3 called as a witness herein, having been duly sworn
4 on oath, was examined and testified as follows:

5 EXAMINATION

6 BY MS. BAUMANN:

7 Q Sir, have you ever given a deposition
8 before?

9 A Yes.

10 Q What were the circumstances?

11 A A shooting.

12 Q Huh?

13 A A shooting.

14 Q A shooting? Okay.

15 A Death, loss of life.

16 Q Approximately when was that?

17 A That I gave the deposition?

18 Q Yes.

19 A About 5 months ago.

20 Q And were you a witness?

21 A Yes.

22 Q A family member or --

23 A No.

24 MS. BAUMANN: So I'll just go over a few

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1 things, as you probably learned during that
2 deposition. If there are any questions that you
3 don't understand or you want me to clarify things,
4 let me -- just let me know, because if you answer
5 the question, we'll assume that you understood the
6 question.

7 THE WITNESS: Okay.

8 MS. BAUMANN: Secondly, if you could
9 allow me to finish the question and then you will
10 answer.

11 THE WITNESS: Yes.

12 MS. BAUMANN: Thank you. And if you need
13 to take a break at any time, let us know.
14 However, if there is a question pending, I would
15 ask that you answer the question, and then we can
16 take a break, whatever you need. Just let us
17 know.

18 THE WITNESS: Yes.

19 MS. BAUMANN: Thank you.

20 And then finally, if your answers
21 would be verbal as opposed to --

22 A To nodding.

23 Q Yes, exactly. Okay.

24 Please state your name?

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1 A Wesley Yates.

2 Q And where do you work?

3 A I used to work for Chicago Public
4 Schools.

5 Q And when did you retire from Chicago
6 Public Schools?

7 A August of 2017.

8 Q Are you currently working?

9 A No.

10 Q How long were you with CPS?

11 A About 18 years.

12 Q And you were at Morgan Park most
13 recently?

14 A From 2010 to 2014.

15 Q Where did you teach before you got to
16 Morgan Park?

17 A Percy L. Julian High School.

18 Q How long were you there?

19 A From 2000 to 2004.

20 Q And what did you do between 2004 and
21 2010?

22 A Worked at -- worked for this company
23 called Fathers and Blessings.

24 Q What is it? Fathers --

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1 A Fathers and Blessings.

2 Q And what sort of company was that?

3 A It was a not-for-profit organization
4 that dealt with people that were incarcerated that
5 were released back into society.

6 Q And what did you do for Fathers and
7 Blessings?

8 A Director of operations.

9 Q Was this your brain child, your baby?

10 A No. It was some friends of mine.

11 Q Okay. And when you were at Julian, what
12 did you teach?

13 A I was the athletic director, head
14 football coach, and I also worked in the
15 attendance office.

16 Q When you got --

17 Why did you leave Julian?

18 A Had a change of administration.

19 MS. BAUMANN: Off the record.

20 (Whereupon a discussion

21 was held off the record.)

22 Back on the record.

23 BY MS. BAUMANN:

24 Q And when you came to Morgan Park, in

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1 what capacity?

2 A I was the Culture Climate Coordinator.

3 Q Coach and climate?

4 A Culture.

5 Q Oh, culture.

6 A Culture.

7 Q What is the Culture Climate Coordinator?

8 A It was a group of individuals who were
9 placed in various Chicago Public Schools to
10 identify some of the problems and to make some of
11 the corrections as it relates to the mindset of
12 not only the scholars, but of the staff as it
13 relates to academics and behavioral issues.

14 Q Did you remain as the Culture and
15 Climate Coordinator throughout your time at Morgan
16 Park?

17 A Yes, ma'am.

18 Q Who else did you work for or work with,
19 I should say, as Culture and Climate Coordinator?

20 A With people across the city. It was a
21 group of individuals that were put in position to
22 go and assist the administration in various high
23 schools throughout the city.

24 Q And what particular problems were you

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1 focusing on with respect to Morgan Park High
2 School?

3 A The way our scholars responded to one
4 another; the way they resolve conflict; and the
5 way that they spoke with the staff personnel.

6 Q When you talk about scholars, are you
7 talking about the students?

8 A Yes.

9 Q And what in particular --

10 What in particular was your focus in
11 the way that the students dealt with one another?

12 A Conflict resolution, how to resolve
13 conflict without using violence.

14 Q And what sorts of things were
15 implemented at Morgan Park to resolve as an
16 alternative resource to issues of violence?

17 A Mediation. We just use that to provoke
18 thought, getting them to think outside the box and
19 just understand and have empathy.

20 Q When you had a mediation, who would
21 participate in the mediation?

22 A Myself would participate in the
23 mediation, along with the deans.

24 Q And who were the deans at that time,

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1 from 2004 to -- I'm sorry -- 2010 through 2014?

2 A Miss Nosatelli and -- what is his name
3 -- Edward McKnight.

4 Q Was Edward McKnight responsible for any
5 particular subject or job duty?

6 A Yes. He was responsible for the
7 sophomores and seniors.

8 Q And then was Ms. Nosatelli, she had
9 freshman and juniors?

10 A Yes, ma'am.

11 Q And who would serve as mediator?

12 A Myself along with one of the deans.

13 Q So if it was a freshman student it would
14 be Ms. Nosatelli?

15 A And myself, yes.

16 Q Approximately -- let's take the year
17 2014, which is when, you know, the incident
18 occurred with Bailey. Approximately how many
19 mediations did you conduct?

20 A In 2014, to the best of my recollection,
21 I think there was probably one.

22 Q Do you recall what that mediation
23 involved?

24 A He had some concerns about some things

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1 that was happening in the school, to the best of
2 my recollection. It's been so long ago. So I am
3 trying to recount the events, which is very hard
4 right now. It's been so long.

5 Q I understand. In your opinion, were
6 there gang issues at Morgan Park High School in
7 2013-2014 time period?

8 A No.

9 Q Did some of the students belong to
10 gangs?

11 A Yes.

12 Q And what gangs did some of the students
13 belong to?

14 A The B.D.'s, the G.D.'s, The Unknowns,
15 The Blackstones, The Vice Lords, and The 4 Corner
16 Hustlers.

17 Q Now were the B.D.'s primarily an
18 African-American gang?

19 A Yes.

20 Q How about the G.D.'s?

21 A Yes.

22 Q The unknown?

23 A Mixture.

24 Q The Blackstones, were they primarily

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1 African-American?

2 A Yes.

3 Q The Vice Lords?

4 A Yes.

5 Q And The 4 Corner Hustlers?

6 A Mixed.

7 Q I think another one of our witnesses
8 referred to "The Jungle." Is that one of these
9 guys?

10 A That's the B.D.'s and the G.D.'s.

11 Q And the B.D.'s and the G.D.'s are
12 collectively referred to as "The Jungle?" *

13 A Yes.

14 Q As Culture and Climate Coordinator, was
15 there anything specific that you did with regard
16 to working with the students who were members of
17 these various gangs?

18 A Yes.

19 Q And what sorts of things would you do?

20 A We would have conversations as it
21 related to their purpose at the school.

22 Q And give me an example of what that
23 would be?

24 A Just as far as going to school for

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1 academic reasons, to build relationships and to
2 learn how to grow as individuals, how to build
3 your socialization skills.

4 Q Did you --

5 Were you familiar with a student
6 we'll refer to as T. D.

7 Off the record.

8 (Whereupon a discussion was
9 held off the record.)

10 A The name sounds familiar, but I've been
11 trying to picture that individual. I just can't
12 seem to picture him at this particular time.

13 Q Do you know if Terrell -- I'm sorry --
14 if T. D., and he is also apparently known as
15 "Taco" belong to any of the gangs you mentioned?

16 A I'm not sure.

17 Q Are you familiar with my client, Bailey
18 Rinehart?

19 A Yes, vaguely.

20 Q And what, if anything, do you remember
21 about Bailey Rinehart?

22 A When he first transferred in, how I
23 tried to connect him with our baseball coach
24 because he was interested in playing baseball.

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1 Q Who is the baseball coach?

2 A Ernest Ratcliff.

3 Q And did you connect him with Mr.
4 Ratcliff?

5 A Yes, ma'am, I did.

6 Q And did you yourself ever see Bailey
7 play baseball?

8 A No.

9 Q And did Bailey ever play football?

10 A No.

11 Q Other than trying to hook Bailey up with
12 Mr. Ratcliff, do you recall anything else in
13 particular about Bailey?

14 A I know he had an incident, I guess with
15 other scholars in the building.

16 Q And do you know with whom he had that
17 incident?

18 A I don't remember who they are at this
19 particular time.

20 Q And do you recall when the incident
21 occurred?

22 A 2013.

23 Q And what do you recall about the
24 incident?

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1 A His mother came up to the school.

2 Q And is that Amy Ramirez?

3 A I think. I'm not sure as to her name.

4 Q Okay. And did you speak with her?

5 A Yes, I did.

6 Q Okay. And what did she say to you?

7 A She had some concerns for his safety and
8 wanted to know exactly what were the steps that we
9 were taking; and it was explained to her that
10 because we just found out about it, that I would
11 go to the dean, which is Mr. McKnight, and he
12 would handle it from there.

13 Q What in particular, did she talk to you
14 with regard to her safety concerns?

15 A Just the treatment he was receiving from
16 some of the scholars at the school.

17 Q What kind of treatment was she saying
18 Bailey was receiving?

19 A That he was having altercations with
20 some of them.

21 Q Did she report to you that some of the
22 African-American students were referring to him in
23 derogatory ways?

24 MS. BEST: Objection to form.

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1 THE WITNESS: Not to the best of my
2 knowledge.

3 BY MS. BAUMANN:

4 Q Did she complain to you that some of the
5 African-American students were calling him white
6 boy and honky and things of that nature?

7 MS. BEST: Same objection.

8 THE WITNESS: Not to the best of my
9 knowledge.

10 BY MS. BAUMANN:

11 Q And what did she say specifically about
12 these altercations?

13 A That she had some concerns for his
14 safety; about the other scholars jumping on him so
15 to speak, trying to provoke a fight.

16 Q And did she tell you who the other
17 students were?

18 A Not that I can remember, to the best of
19 my knowledge.

20 Q And what did you tell her in response to
21 her complaints?

22 A That I would take the situation to the
23 dean; and he then will handle it from there.

24 Q And did you, in fact, take it to the

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1 dean?

2 A Yes.

3 Q And that was to Mr. McKnight?

4 A Yes.

5 Q And what did you tell Mr. McKnight?

6 A I told him that the parent had some
7 concerns about her son's safety and that he is
8 being jumped on; so we need to investigate it to
9 see exactly what's going on to resolve the issue.

10 Q What did Mr. McKnight say to you?

11 A He would look into it.

12 Q Do you know in 2013, approximately what
13 month?

14 A I would say in the spring, if I'm not
15 mistaken.

16 Q Was it shortly after Bailey first
17 arrived at Morgan Park High School?

18 A I don't remember if it was shortly
19 after.

20 Q And was that the only time you spoke to
21 Ms. Ramirez, or to Bailey's mom about her
22 concerns?

23 A No.

24 Q Do you know --

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1 Following this conversation with Dean
2 McKnight, do you know if he, in fact, did anything
3 to follow-up?

4 MS. BEST: Objection; foundation.

5 THE WITNESS: I don't know.

6 BY MS. BAUMANN:

7 Q Was there any policy and practice in
8 place at the school for documenting conversations
9 or complaints made by students or parents?

10 A Yes.

11 Q And could you tell me what that was?

12 A It's an incident report form, and it
13 should have also been logged into the system,
14 Verify, if I'm not mistaken.

15 Q Verify was the name of the computer
16 system?

17 A Yes, ma'am.

18 Q Under what circumstances would an
19 incident report be made?

20 MS. BEST: Object to form, vague.

21 THE WITNESS: Altercations, bullying;
22 anything dealing with this multi-media -- social
23 media situations or just as a note to say that
24 this particular situation occurred and is being

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1 looked into.

2 BY MS. BAUMANN:

3 Q Did you, yourself make any incident
4 report with regard to that first conversation you
5 had with Bailey's mom?

6 A No, ma'am.

7 Q Did you feel you were required to make a
8 report at that time?

9 A No.

10 Q And why not?

11 A Because I was -- because at that
12 particular time, I was not the dean and that's
13 their duty.

14 Q So this would be Mr. McKnight's duty to
15 do that?

16 A Yes, ma'am.

17 Q Do you know if Dean McKnight made any
18 incident report or logged anything into Verify,
19 with respect to Bailey's mother's complaints?

20 A No.

21 MS. BEST: Objection; foundation.

22 BY MS. BAUMANN:

23 Q Did Mr. McKnight, or Dean McKnight say
24 anything to you after your conversation with him

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1 regarding Bailey?

2 A No.

3 Q You said there was another conversation
4 you had with Bailey's mom?

5 A Yes.

6 Q Do you recall approximately when that
7 was?

8 A I don't know if it was 2013 or 2014, but
9 she came up expressing some concerns about, I
10 guess, some other scholars that were in the
11 building; and she asked me about baseball as it
12 relates to him playing the game.

13 Q And what did she express to you in
14 particular, regarding these other students?

15 A She just wanted to make sure he remained
16 safe.

17 Q Did she say that he was not safe or that
18 he felt he was not safe?

19 A She had some concerns about him being
20 safe and feeling safe.

21 Q Do you recall if she put this in terms
22 of bullying or racial discrimination or anything
23 like that?

24 A I think more so bullying than anything.

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1 Q And do you recall anything more
2 specifically than that?

3 A No, ma'am.

4 Q And do you recall if she identified the
5 students?

6 A I don't remember.

7 Q And after she expressed these concerns,
8 what did you tell her?

9 A That she needed to have that
10 conversation with the dean.

11 Q And did you tell her which dean to have
12 the conversation with?

13 A Yes.

14 Q Who did you mention?

15 A McKnight -- Mr. McKnight.

16 Q Do you know if she had a conversation
17 with Dean McKnight?

18 A No.

19 Q Did you have a conversation with Dean
20 McKnight following this conversation with Ms.
21 Ramirez?

22 A Yes.

23 Q And what did you tell Dean McKnight?

24 A Just wanted to make sure he connected

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1 with Ms. Ramirez to see exactly what is happening
2 with her son.

3 Q And did Dean McKnight say anything to
4 you?

5 A I don't recall that he did. I can't
6 recall anything.

7 Q And at this time, did you make any entry
8 into the Verify system or log the information into
9 the school system?

10 A No.

11 Q Why not?

12 A It was not my responsibility.

13 Q Do you recall speaking with Bailey's mom
14 about anything else other than the baseball and
15 her expressing concerns regarding possible
16 bullying and remaining safe at the school, at this
17 time?

18 A No, ma'am.

19 MS. BEST: Objection to form.

20 THE WITNESS: I don't recall.

21 BY MS. BAUMANN:

22 Q Do you know if Mr. -- or Dean McKnight
23 followed up with Ms. Ramirez?

24 A I don't know.

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1 Q Did you have any other conversations
2 with Bailey's mother about what was going on with
3 Bailey?

4 A Not to the best of my knowledge.

5 Q What about any conversations with Bailey
6 about what was going on with him? Do you recall
7 having any conversations with him?

8 A I'm quite sure I did, but to what extent
9 that conversation led to or shall I say the
10 discussion, I'm not sure. It was probably just
11 about how he was doing in school and just other
12 things that maybe concern.

13 Q Do you recall if Bailey complained to
14 you about being bullied or harassed?

15 A I know he talked to me about the
16 bullying part.

17 Q Do you recall exactly what he said?

18 A No, not really. I couldn't give it to
19 you verbatim. I don't remember.

20 Q To the best of your recollection.

21 A I mean, with bullying; just people
22 probably making him feel uncomfortable.

23 Q Do you know what they were saying to
24 him?

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1 A No, I don't.

2 Q Do you recall how many times you spoke
3 to Bailey about him feeling uncomfortable at the
4 school?

5 A Twice to the best of my knowledge.

6 Q And do you recall when?

7 A No, I don't. I really don't.

8 Q Did you enter anything into Verify or
9 otherwise document your conversations with Bailey?

10 A I may have. I'm not sure.

11 Q Do you feel that it was -- that you were
12 required pursuant to the policies and practices at
13 Morgan Park High School to document in some way
14 your conversations with Bailey?

15 MS. BEST: Objection to form, foundation.

16 THE WITNESS: Yes and no.

17 BY MS. BAUMANN:

18 Q And why do you say --

19 A The reason why I say no is because
20 that's still in the hands of the deans. And yes,
21 I would say because of the climate aspect of it.
22 I have written so many things other the years, I
23 just couldn't recollect, you know, as to --

24 BY MS. BAUMANN:

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1 Q When you say, "Yes, because of the
2 climate aspect to it," what do you mean?

3 A I'm saying that because when there's
4 bullying involved in it or anything dealing with
5 social media, it's something that catches our
6 attention; and it's something that we thrive on
7 trying to help teach our scholars how to navigate
8 and use it for the purpose that it's supposed to
9 be versus to having disagreements with people over
10 the airwaves.

11 Q So what did you tell Bailey when you had
12 these conversations with him?

13 A Conversations as it relates to?

14 Q The bullying and the harassment, or
15 whatever he said to you?

16 A If he is feeling uncomfortable, he
17 needed to let the deans know what is happening
18 because it's hard for them to act on something
19 when they have no knowledge about it.

20 Q Did you tell him that you would talk to
21 the deans for him?

22 A I told him he needs to talk with the
23 deans, and I would also make mention.

24 Q And did you talk to either Dean

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1 Nosatelli or Dean McKnight about Bailey's
2 conversations with you?

3 A Yes.

4 Q And who did you speak with?

5 A Mr. McKnight.

6 Q And what did you tell Mr. McKnight?

7 A Simply that he was feeling uncomfortable
8 and he was being bullied; and we need to address
9 the situation to find out who the other scholars
10 were who were involved in this and to bring up the
11 parents to resolve it.

12 Q Do you know if Dean McKnight did
13 anything after you spoke with him about these
14 conversations with Bailey?

15 A No.

16 Q And do you know specifically when the
17 first time Bailey had a conversation with you, can
18 you recall what year it was?

19 A 2013.

20 Q Would it also be in the spring of 2013?

21 A Yes, ma'am.

22 Q And the second conversation that you had
23 with Bailey, do you recall approximately when that
24 was?

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1 A No.

2 Q Did you ever conduct any mediation or
3 any alternative dispute resolution processes with
4 Bailey and any other students who were harassing
5 him?

6 A No.

7 Q Why not?

8 A That's the dean's department.

9 Q Did you have any conversations with
10 anyone else in 2015 or 2014 about Bailey Rinehart?

11 A As it relates to?

12 Q To anything really?

13 A Just what I mentioned before with the
14 deans about some concerns about safety and also
15 about baseball.

16 Q And who did you speak to about Bailey
17 and baseball?

18 A Ernest Ratcliff.

19 Q And approximately when did you speak
20 with Mr. Ratcliff?

21 A I think when he first arrived.

22 Q Is that the conversation we've already
23 discussed?

24 A Yes.

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1 Q Did you have any conversations with
2 anyone else about Bailey at or about the 2013-2014
3 school year, other than what we've discussed?

4 A Not to the best of my knowledge, no.

5 Q Subsequent to 2014, have you had any
6 conversations with anyone concerning Bailey
7 Rinehart?

8 A No..

9 Q Have you had any conversations with
10 anyone concerning Bailey's mother, Amy Ramirez?

11 A No.

12 Q Now, are you familiar with the incident
13 that happened between Bailey and some other
14 students on or about November 6, 2014?

15 A Vaguely.

16 Q And what do you recall?

17 A I know it had something to do with the
18 classroom. I think the altercation took place in
19 one of the classrooms. That's --

20 Q Did you ever witness any of the
21 altercations that Bailey had with any of the
22 students?

23 A No, not to the best of my knowledge.

24 Q Did you ever have an opportunity to talk

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1 to any of the other scholars about Bailey or
2 Bailey's concerns?

3 A When you say "scholars" are you saying
4 -- and this is just me asking -- are you saying
5 people that may have had a problem with him or
6 just in general, because conversations take place
7 throughout the course of the day can.

8 If you witness body language and just
9 now a lot of scholars are going on about their
10 business throughout building, you can tell if
11 something is wrong with them. A lot these young
12 people say things in a little playful manner,
13 which they take it too far.

14 If we witness that, that's when we
15 say, "Hey, you might need to calm it down a little
16 bit," or "You know that's not right" or just
17 things of that nature just to get them to provoke
18 thought.

19 Q Do you recall that happening on any
20 occasion with any of the students with regard to
21 Bailey?

22 A Bailey and countless others.

23 Q Anything specifically with regard to --

24 A No. Teasing; just teasing.

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1 Q Okay. Do you remember any of the
2 students who might have been teasing Bailey?

3 A No, I don't remember.

4 Q Do you know what the teasing was about?

5 A No, I don't.

6 Q So if I understand you, you undoubtedly
7 saw some body language and may have overheard some
8 teasing about Bailey that made you think that you
9 should, you know, say something to the students?

10 MS. BEST: Objection to form.

11 BY MS. BAUMANN:

12 Q Is that accurate?

13 A Yeah, but I mean, kids play a lot, you
14 know, and sometimes they just take that a little
15 too far, and as adults, when we're walking past
16 them and we hear something like that, which
17 catches our ear, we would be remiss if we didn't
18 speak on it.

19 BY MS. BAUMANN:

20 Q Do you -- I don't know if I asked this
21 quite this way. Do you remember any particulars
22 with regard to speaking to a student about his or
23 her treatment of Bailey?

24 A No.

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1 Q Now in 2013-2014, Morgan Park was
2 primarily African-American students?

3 A Yes.

4 Q And did you sense at all during that
5 time period any conflict -- any racial conflict
6 between the African-American students and
7 non-African-Americans?

8 A No.

9 Q Did you hear any complaints from any of
10 the other non-African-American students about the
11 way they were treated at Morgan Park High School
12 by fellow students?

13 A Yes, but that's everyone in general at
14 the school had something to say about the
15 treatment; not just those of, you know, different
16 ethnic backgrounds.

17 Q Do you recall anything specifically
18 related to, as you say, the "ethnic background" or
19 anything related to diversity-type issues?

20 A No.

21 Q How about with respect to teachers? Did
22 you hear anything from the teachers about there
23 being a racially hostile or uncomfortable
24 situation at Morgan Park High School?

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1 MS. BEST: Are you finish?

2 I have an objection to form.

3 THE WITNESS: No.

4 BY MS. BAUMANN:

5 Q And during the 2013-2014 time period, do
6 you recall hearing complaints by any of the
7 students regarding treatment by teachers with
8 respect to racially motivated behavior or
9 something of that nature?

10 A No.

11 Q I'll give you an example.

12 And since Bailey claims that teacher
13 Barrage (phonetic) made statements to him of a
14 racially hostile nature, calling him White Boy,
15 for example, in school. Did you ever hear any
16 complaints?

17 A No, not at all.

18 Q Have you ever overheard teacher Barrage
19 make any comments like that?

20 A No.

21 Q Do you know who I'm talking about,
22 teacher Barrage?

23 A Yes.

24 Q And what did she teach?

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1 A Math.

2 Q Do you know what kind of student Bailey
3 was at Morgan Park?

4 A No.

5 Q Are you familiar with Bailey's
6 attendance at Morgan Park?

7 A Vaguely.

8 Q And what do you recall with regard to
9 Bailey's attendance?

10 A I know a couple of days he was absent,
11 and just made sure he brought in a note from his
12 parents so he can get a reinstatement for his
13 classes.

14 Q And do you recall if Bailey did bring in
15 a note?

16 A I'm not sure.

17 Q Was Bailey one of the students that you
18 yourself was concerned with with regard to
19 absenteeism from school?

20 A I can't recall.

21 Q When you conducted the mediations with
22 the students and the deans, would you implement or
23 be responsible for implementing discipline?

24 A No.

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1 Q Who would?

2 A Deans.

3 Q Would you suggest the appropriate
4 discipline for the students?

5 A Yes.

6 Q And would the deans normally listen to
7 your suggestion or not?

8 A Sometimes.

9 Q Do you recall anything else with regard
10 to your interactions with Bailey Rinehart or his
11 mother at Morgan Park High School?

12 A No. Everything was pleasant.

13 Q You mentioned the requirement that
14 certain things be placed into the Verify system or
15 recorded. Is there anything in writing that
16 you're aware of that required that to happen?

17 A There should be, but it's been so long
18 since I've done it. So --

19 Q Do you recall if there was a policy
20 manual that you had?

21 A Handbook.

22 Q Do you recall the title of the handbook?

23 A One was a Student Handbook with all the
24 policies and procedures.

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1 Q Okay. And was there a separate handbook
2 for administrators or teachers?

3 A I think there was. I'm not sure, but I
4 think there was. I know we had trainings that the
5 Board offers that all staff do go to.

6 Q And how often are the trainings offered
7 to staff by the Board?

8 A One every 6 months.

9 Q And what type of training would this be?

10 A Anything from conflict resolution,
11 documentation as it relates to how we document
12 items in the system and specifically, how to use
13 the system itself.

14 Q And where were the trainings held?

15 A At various places.

16 Q And you would attend these trainings
17 every 6 months?

18 A Yes.

19 Q And who else attended these trainings?

20 A The teachers, the deans from every
21 school in the city. I know one of the
22 administrators had to be present.

23 Q Do you know if Bailey's complaints were
24 ever resolved by the administration at Morgan Park

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1 High School?

2 A I don't know.

3 Q Do you know if the complaints made by
4 Bailey's mother were ever resolved by Morgan Park
5 High School?

6 A I don't know.

7 MS. BAUMANN: That's all I have.

8 MS. BEST: Just a couple.

9 EXAMINATION

10 BY MS. BEST:

11 Q Do you remember what month you stopped
12 working at Morgan Park in 2014?

13 A Yes.

14 Q When was that?

15 A July of 2014 -- no, June of 2014. I'm
16 sorry.

17 Q So the end of --

18 A School year.

19 Q -- the end of '13-'14 school year?

20 A Yes, ma'am.

21 Q Did Bailey ever in his claims ever give
22 you specific individuals names of people that he
23 was complaining about?

24 A I don't recall.

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1 Q If that was something that Bailey would
2 have provided to you, would you have provided that
3 to Mr. McKnight?

4 A Yes, ma'am.

5 Q Did the mom ever give you specific names
6 about the complaints of students?

7 A Not that I recall.

8 Q Again, that would have been something
9 that you would given Mr. McKnight, right?

10 A Yes.

11 Q Did mom ever say these altercations were
12 happening because Bailey was white?

13 A I don't recall her saying that at all.

14 Q Did Bailey ever say that he was having
15 altercations because he was white?

16 A Never heard that being mentioned either.

17 Q You mentioned teasing. Do you remember
18 the teasing with Bailey and other kids, if that
19 was ever about race?

20 A No. It was about clothes and shoes and
21 the way you talk to other people. So it was just
22 -- from what I picked up, it was just teasing that
23 sometimes would go too far.

24 Q Kids being kids?

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1 A Kids being kids.

2 MS. BEST: That's all.

3 FURTHER EXAMINATION

4 BY MS. BAUMANN:

5 Q When you talk about clothes and shoes
6 and the way we interact with one another, that
7 often has to do with where we come from, correct?

8 MS. BEST: Objection to form.

9 THE WITNESS: Not necessarily. Not
10 necessarily at all, because if you look at the
11 state of where we are at now, a lot of the
12 scholars, they all dress alike, unless you are in
13 uniform. Other than that, they all dress alike.

14 BY MS. BAUMANN:

15 Q Do you know if Bailey dressed like his
16 fellow students?

17 A Yes, if I can recall.

18 Q So what would they talk about or tease
19 each other about with regard to clothes and shoes?

20 A They would make remarks like: Well, I
21 got my clothes from this place. Where did you get
22 yours from? They call it "the Dozens" or
23 "throwing heat," which means teasing. Those are
24 the terms that are being used nowadays, or

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1 "roasting" which is what they call it.

2 Q And the first thing you said was
3 "dozens?"

4 A Yes. The dozens is when you talk about
5 each other; not trying to have a physical
6 altercation, but you may have did something I
7 didn't like, or said something or you may have
8 talked to young lady that I wanted to, and you
9 beat me to it. So now, I'm upset and I'm going to
10 talk about you.

11 Q Now you said, when I asked you earlier
12 if you -- if you heard Bailey say anything
13 specifically with regard to race, and you said you
14 didn't recall. Is that accurate? You -- I just
15 want to make sure. You don't recall him ever
16 saying anything?

17 MS. BEST: Objection --

18 BY MS. BAUMANN:

19 Q Is that accurate?

20 MS. BEST: Objection; asked and answered,
21 misstates his testimony.

22 THE WITNESS: Yes. I'm sorry.

23 MS. BAUMANN: That's it. Thank you.

24 MS. BEST: Okay. You have the option of

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1 waiving your signature or you can reserve it.

2 THE WITNESS: I'll reserve it.

3 AND FURTHER DEPONENT SAYETH NAUGHT

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1 STATE OF ILLINOIS)

2)

3 COUNTY OF COOK)

4 I, Izetta White-McGee, a Notary
5 Public and Certified Shorthand Reporter within and
6 for the County of Cook and State of Illinois, do
7 hereby certify that heretofore, to wit: on April
8 12, 2018, personally appeared before me, Wesley
9 Yates, a witness in the above-captioned matter,
10 which cause is now pending and undetermined in the
11 above-captioned court.

12 I further certify that the said
13 witness was by me first duly sworn to testify to
14 the truth, the whole truth and nothing but the
15 truth in the cause aforesaid; that the testimony
16 then given by the witness was reported
17 stenographically by me in the presence of the
18 witness and afterwards reduced to writing and the
19 foregoing deposition is a true and correct
20 transcription of my shorthand notes so taken as
21 aforesaid.

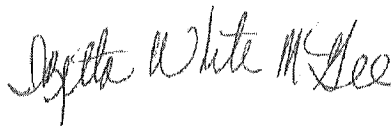
22 The signature of the witness to the
23 foregoing deposition was not waived.

24 I further certify that this

1 deposition was taken pursuant to notice and that
2 there were present at the taking of the deposition
3 the appearance as heretofore noted.

4 I further certify that I am not
5 counsel for nor in any way related to any of the
6 parties to this lawsuit, nor am I in any way
7 interested in the outcome thereof.

8 IN WITNESS WHEREOF, I have hereunto
9 set my hand this date, May 7, 2018.

10
11 
12

13 -----
14
15 Certified Shorthand Reporter
16 No. 084-003958
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

BAILEY RINEHART)
Plaintiff,) No. 16 CV 10413
vs.)
BOARD OF EDUCATION OF THE CITY)
OF CHICAGO,)
Defendant.)

I hereby certify that I have read the
foregoing transcript of my deposition, and I do,
again, subscribe and make oath that the same is a
true, correct, and complete transcript of my
deposition so given as aforesaid as it now
appears.

() Per the corrections made on the attached errata
sheet(s).

WESLEY YATES

Subscribed and sworn to
before me this _____ day of
_____, 2018

Notary Public

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